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# THE WISCONSIN ARCHITECT

THE OFFICIAL PUBLICATION OF THE STATE ASSOCIATION OF WISCONSIN  
ARCHITECTS — THE WISCONSIN CHAPTER A.I.A. AND THE PRODUCERS  
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F E B R U A R Y

1944

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## Convention Side Lights

What was supposed to be an avocation has turned into practically a full-fledged vocation for Sylvester Schmitt, he confided during convention recess. At his home in Two Rivers, he whiled away spare moments entertaining his children with tales of their forbears. Anon he discovered he could go so far and no further. He began to delve. More and more branches appeared on his family tree. They spread out of Wisconsin and into the east. Thence across the great ocean to the Old Country. So the tree has grown and grown and like Jack's beanstalk, has taken the amazed Mr. Schmitt right along with it. There appears to be no stopping. Genealogy, he opines, is not a hobby. It is a job.

\* \* \*

In the lobby, 'round about 10 a.m. on Saturday, stood State Architect Roger C. Kirchhoff, motionless, gazing upon the milling throng. "Well," marveled he, "never have I seen so many familiar faces." And that from one whose habitat is our State's Capitol in Madison.

\* \* \*

There's nothing like getting off to a good start, which same the Convention certainly did. What with the cocktail party the Producers Council Club put on, preceding the opening banquet, it got in the groove and just naturally stayed there.

\* \* \*

Following the banquet on Friday night, the two Walters, Messrs. Memmler and Trap, together with Carl Ames and Henry Slaby, set out to show some of the visiting firemen the bright lights. They stopped at a night spot where a ventriliquist was holding forth. The eyes of the McCarthy-like dummy settled upon them.

"We have with us two renowned politicians," the mystic dummy revealed. "One of them killed 12 people in Los Angeles. He moved on to St. Louis, murdering 14 more, finally arriving in Wisconsin to slay an additional 16 and become elected to the Senate. Ladies and Gentlemen, I give you U. S. Senator Walter G. Memmler.

"Our other celebrity," he continued sagely, "is the Honorable Noel Ross Safford of Green Bay, U. S. Congressman from his district."

True the dapper Noel is no U. S. Congressman, but the following day he was to be elected to represent his district as director of the State Association of Wisconsin Architects, which after all is something. And, also, the following day, the pseudo senator was to be re-elected to the vice presidency. For them, national fame was fleeting as time, but fun while it lasted.

(Continued on Page Eleven)



# THE WISCONSIN ARCHITECT

Official Publication

The State Association of Wisconsin Architects

Wisconsin Chapter, The American Institute of Architects

Producers' Council Club of Wisconsin

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## MINUTES OF THE TWELFTH ANNUAL CONVENTION Of The STATE ASSOCIATION OF WISCONSIN ARCHITECTS

The Twelfth Annual Convention of the State Association was held in Milwaukee at the Plankinton House, February 25 and 26, 1944.

The Convention was preceded by an exhibition, by members of the Producers Council, of new materials and methods. The exhibits were shown on the Mezzanine Floor.

A long established custom was again observed by the Producers Council when the Architects were the guests of the Producers Council at a fine Cocktail Party in the Club Room.

The Twelfth Annual Convention was opened with the Banquet, following the Cocktail Party.

Dinner was served at 7 p.m. in the Lotus Room and was followed by a short intermission.

Norbert J. Klein, President of the Producers Council Club, was introduced by President Arthur L. Seidenschwartz. Mr. Klein, in a few well chosen words, introduced the first speaker, Thomas S. Holden, President of the F. W. Dodge Corporation, New York. The subject of Mr. Holden's talk was "Who's Afraid of Prosperity." His talk was so enthusiastically received that its publication was ordered.

(A copy of Mr. Holden's talk appears elsewhere in this issue.)

The President introduced Walter J. Mattison, Milwaukee's City Attorney. Mr. Mattison spoke on the need of rehabilitation of blighted areas and his suggested procedure for the performance of this rebuilding by private interests.

He gave a splendid talk which was enthusiastically received.

The President introduced several guests and adjourned the Friday session at 10:30 o'clock, reminding those present that the Convention would reconvene at 10:30 a.m. Saturday.

The Saturday session, February 26, was called to order by President Seidenschwartz at 11:30 a.m.

### President's Address

Following is the annual report of the President to the Convention:

"Members of the State Association of Wisconsin Architects and Fellow Architects, I welcome you to the Twelfth Annual Convention of our State Association.

"For the past two and one half years, the Architectural profession and the Building Industry as a whole, have been greatly affected by the events of the times.

"I can clearly recall, on the morning of our last Convention, held at Madison in September, 1941, the newspapers printed the news that residence building would be curtailed and that the cost of homes, including land, would be limited to \$6,000.00. We immediately got busy and prepared detailed lists and weights of all metals which we considered would be critical and restricted materials entering into the construction of homes in several price brackets. These lists were prepared to show the Federal Government in what proportion metals were used to the cost of the buildings. In all cases, higher priced homes used less in proportion to cost and to other materials than the lower priced homes. When these lists were completed and carefully checked, they were taken to Washington and offered as a pattern for the possible use in controlling critical materials.

"Then came Pearl Harbor, a day none of us will ever forget, and the declaration of war against Japan, followed by declaration of war against Germany and Italy.

"Since that day, many changes have taken place in the personnel and the offices of the Architects. Some entered the Armed Forces, others entered the services of the Government in one capacity or another, a few Architects were successful in having large and numerous war plant contracts, and the greater percentage of Architects, had to look towards making a living in other fields. I am indeed glad to say that the Architect, just out of the depression of the Thirties, was able to adapt himself for other work where he could be of help to the war effort to the best of advantage.

"Those of us who continued to operate as members of the profession of Architecture in one form or another, know only too well the amount of forms, red tape and restrictions placed on buildings by the Federal Government. Let us hope and pray that when we have won the war, (which we must and will win), we can gradually be relieved of the gigantic and tedious task of preparing forms for Government approval.

"As we come out of this war just as we went into it, I am confident that the Architect will again adapt himself quickly to the transition from his present occupation, back into the field of Architecture. I believe, however, that changes must and will be made by the Architects to win back the field which justly belongs to them. There will be, no doubt, a movement by large corporations to break into the lower cost residential field, in one way or another, and the Architect will be called upon to fortify himself with all the knowledge and ability he can acquire to battle against the inroads into the Profession, and to hold the position which so rightly belongs to him.

"The future, after the war, has much in store for the Architect and he should do everything in his power to prepare himself to meet the challenge when it comes.



"Although, in a certain sense, we have been practically dormant, many things of interest have taken place. For instance:

"A new State Building Code was drafted and adopted. On the hearing and examination of this code, the Committee worked hard, giving careful thought to every detail and submitting many suggestions for changes, which were cheerfully received by the Committee and embodied into the code;

"Changes were made to the Architects' Legislative Act, clarifying same. We owe much to Mr. Gerald Rice for these changes;

"An Architect of the State of Wisconsin, who had his license revoked by the State Board of Examiners for incompetency, lost his case for reinstatement in the Supreme Court of Wisconsin.

"Now let us all give careful and serious consideration of the future and again help in placing the Architect at the head of the building profession where he rightly belongs."

### Secretary's Report

After the address by President Seidenschwartz, a report of the Board of Directors was given by Leigh Hunt, Secretary and Treasurer. The Secretary's report dealt with the activities since the last Convention which was held at the Lorraine Hotel in Madison, September 19 and 20, 1941. At the Post Board meeting in Madison, Arthur L. Seidenschwartz was elected President; Walter G. Memmler, 1st Vice President; Edgar H. Berners, 2nd Vice President; Leigh Hunt, Secretary-Treasurer.

Other Board members elected were Howard M. Nelson, William A. Oppenhamer, Gage M. Taylor, Frederick C. Steinhaus, Frederick W. Raeber, Allen J. Strang, Mark F. Pfaller, Robert S. Chase, William F. Mickelsen and Frank F. Drolshagen.

A second meeting of the Board was held in October, 1941, in Chicago. A third meeting was held December 2, in Milwaukee. Pearl Harbor followed five days later, December 7, and the country was at war.

During the year 1942, a Board meeting was held January 14, and another on April 18. Two joint meetings of the State Association and the Wisconsin Chapter, A.I.A., were held, February 20, and May 22, and on July 8, a picnic was held at the "Kopmeier Farm", southwest of Milwaukee.

A questionnaire was sent to all members and the ballot resulted in the postponement of the 1942 Convention and the retention of all officers of the State Association for the following year. The evening of October 23, the State Association and the Producers Council Club of Wisconsin held a "smoker" at the Brown Bottle as guests of the Schlitz Brewing Company. The meeting indicated conclusively that this was a popular expedient in lieu of the Convention.

During the year 1943, board meetings were held April 10, June, 26, September 18, November 27, and December 4.

In 1944 there has been but one board meeting. This was the Pre-Convention Meeting on February 25.

Although the Convention was postponed, much was accomplished, for through the efforts of our attorney, Gerald J. Rice, and his meetings with the Boards of the State Association and the Wisconsin Chapter, A.I.A., jointly, the State Building Code was revised on the Committee's recommendation without change.

Revisions were successfully made in the Registration

Act which strengthened and clarified it. Mr. Rice will discuss these matters at his Round Table discussion this afternoon.

The present Board has served you for 20 months. It has lost one of its members, Howard M. Nelson, by death, and one, Gage M. Taylor, is now serving with the armed forces. Emiel F. Klingler, a former director, was elected by the Board to fill the unexpired term of Mr. Nelson.

The Pre-Convention Board meeting recommends to the In-Coming Board that all committees in the State take an active part in their respective communities in developing master plans and that every effort be made to publicize the architectural profession so as to strengthen the Architect's position between now and the postwar period as well as in the postwar period.

### Committee Reports

The Auditing Committee approved the report of the Treasurer. The Auditing Committee members were Emiel F. Klingler, Chairman; Frederick W. Reuber and Edward A. Wettengel.

A motion was made by Peter Brust, seconded by Walter G. Memmler and unanimously carried, that the report of the Secretary-Treasurer be approved.

A verbal report was made by Walter G. Memmler, Chairman of the Practice Committee. He cited the Kuehnel, Case, which was the first case where an architect's registration was revoked. Later this revocation was sustained by the Supreme Court of Wisconsin.

Mr. Memmler reported that the Leroy Wendt case came into court again in February of 1942 and that Mr. Wendt was sentenced, but later pardoned. The case of the Appleton firm of Lytle & Smith using the title of Architect & Engineer, was before the Practice Committee. Lytle started suit against a client, Godfirnon, for money he claimed was due him, the result of which was a non-suit verdict. Later the Supreme Court ruled out the case on a technicality. A new suit was started but was withdrawn as Lytle quit business and got private employment.

Ellis B. Potter asked for an explanation of the Capits and Edgar H. Berners, a member of the Board of Examiners, stated that the Board of Examiners, through the District Attorney, had started suit in the Green Bay Court and not until a decision of the Court, could there be an answer.

T. L. Eschweiler stated that E. A. Stubenrauch, who had been obliged to return home, had asked that some recognition of the fine attitude of Oscar Nelson of the Industrial Commission in clarifying the practice of architecture to applicants for permits at his office in Madison, be made.

Mr. Eschweiler offered a resolution commending the efforts of Mr. Nelson on his fine work in supporting the employment of architects by the building public. This was seconded by Mr. Brust and unanimously carried. Both Mr. Berners and Lewis Siberz endorsed the splendid work which is being done by Mr. Nelson.

Mr. Potter urged the sending of a letter to Gerald J. Rice, attorney, expressing the gratitude of the State Association for his fine work done for the State Association.

President Seidenschwartz appointed Sylvester Schmitt, T. L. Eschweiler and Noel R. Safford as members of a Resolution Committee.



The morning session was adjourned for lunch in the Lotus Room, where 135 members were seated.

### Afternoon Session

The afternoon session convened at 2 o'clock.

### Round Table "A"

Gerald J. Rice, Moderator

In a round table discussion, Mr. Rice, the Association attorney, traced important developments in the law relating to architecture during 1943. Changes in the Architects' License law and in the Mechanics Lien Law and their effect upon the building industry were pointed out. Mention was also made of a new law imposing liability for violation of the building code upon contractors unless plans are made by a licensed architect.

Mr. Rice also discussed the Supreme Court decision of *Lytle vs. Godfirmon*, which led to some of the changes in the license law, and also the Supreme Court decision in the case of *Kuehnel vs. Wis. Registration Board of Architects*, etc. He pointed out that the *Kuehnel* case clarified the powers of the Board in dealing with architects who commit acts warranting revocation of their license, and stated that the case was also very important as giving some concrete examples of cause for revocation of license.

In closing, Mr. Rice paid tribute to the officers of the Association and to the State Board for their untiring efforts and alertness in coping with the current problems that face the profession of architecture.

Mr. Rice then asked to be excused as he was due at the Defense Plant at 3 p.m.

### Round Table "B"

A. L. Seidenschwartz, Moderator

Mr. Seidenschwartz opened the discussion with a general criticism of the Plans and Specifications prepared by the rank and file of the practicing architects. He stated that they lack completeness and simplicity and that there is a great need at this time of studying the published documents of the Association, and suggested that copies be in the hands of all members.

A general discussion on the documents in question followed and it was disclosed that they were endorsed by the Industrial Commission at the time they were prepared and were recommended for use by the architects.

Mr. Seidenschwartz explained that he based his criticism on the plans which he had seen and knew that one and all would be benefited by using the "Minimum Requirements for Plans."

At the end of the discussion it was moved and seconded that the Secretary send a copy gratis to each member.

### Round Table "C"

Leigh Hunt, Moderator

Mr. Hunt stated at the outset that he was Vice Chairman of the Committee on Unification of The American Institute of Architects and a member of its Executive Committee. Also, that he had attended a Board meeting of The Institute in Memphis, Tenn., early in December 1943, in accordance with a resolution passed at the A. I. A. Convention in Cincinnati, which directed the Board to report on a solution and disposition of the Unification matter.

The Unification Committee met a day ahead of the

A.I.A. Board and after many hours of discussion made a recommendation to the Board. (A copy of this recommendation was published in the January Wisconsin Architect.)

The Board invited the Committee to attend its first day's session and after receiving explanations of what led to the recommendations, later accepted them without changes and ordered changes in the By-Laws required to put these recommendations into effect.

The "Recommendation", in brief, is as follows:

"That any registered architect is eligible for membership in the A.I.A., and in view of the need for a single, strong national organization, we recommend that a general campaign be launched to increase The Institute membership and that each State have a State Chapter with branches; and when 8 per cent of the members of the State Associations, or in three years time, whichever was shortest, the State Association should cease to become a State Association member of The Institute. However, the State Association would continue to exist as a legislative body if needed or desired.

The campaign for members of the Wisconsin Chapter is now under way.

The augmented Chapter, which is an autonomous body, will then act in all matters for all architects. This general program will strengthen state rights for the architects and at the same time make for a very strong national organization."

There was considerable discussion, following, which was constructive in nature.

### Illustrated Talk

At the conclusion of the Round Table Discussions, the President introduced Howard M. Sloan, special representative of the Libby Owens Ford Glass Co., who gave the Convention a very interesting talk on the "Solar House" with slides of houses, plans and details.

Mr. Sloan opened his talk with an explanation of the "Solar House" and what made it that, explaining that one long side of the house faced due-south, with an awning of wood designated to control the angle of the sun's rays for the latitude in which it was to be erected, so that the rays extended never farther into the room than the rear wall. Also, that louver screens were constructed so as to filter out the oblique rays at ends.

He explained that the floors, walls and ceilings were of a color which eliminated glare, this relieving eye strain, and that actual investigations by competent authorities, conclusively indicated that eye sight was much improved after a few weeks, due to ample light and the absence of glare. After this explanation, he showed colored slides of Solar Houses which have been constructed in many parts of the country.

Following the slides, Mr. Sloan asked if there were any questions with reference to double glazing and triple glazing, heating, ventilating, insulating and construction. After answering the many questions, he said that a new booklet was being prepared and would be sent to the members of the Association when it was off the press.

Mr. Sloan's talk was well received.

At the conclusion of the talk, Mr. Klein announced that the beautiful mirror which had been donated as a prize to the lucky visitor by the Pittsburgh Plate Glass Company, had been won by John Brust.

(Continued on Page Ten)



## "WHO'S AFRAID OF PROSPERITY?"

Address by Thomas S. Holden, President,  
F. W. Dodge Corporation, before the Annual  
Convention of the State Association of Wisconsin  
Architects, Milwaukee, Wisconsin, February 25, 1944

\* \*

IT becomes increasingly clear that the American economy possesses all the essential ingredients for a highly prosperous postwar era, perhaps more prosperous than any the country has ever known. These ingredients are:

- 1—Enormous purchasing power widely distributed.
- 2—Overwhelming demands for peacetime goods and services.
- 3—Raw materials in abundance.
- 4—Most advanced technology in the world and greatest capacity to produce.
- 5—Seasoned and highly adaptable industrial and business management.
- 6—Trained manpower skilled in all the useful arts and trades.

To these six home-front assets may be added a seventh, our position of leadership and influence in world affairs, which, properly used in the future may result in an international trade of far broader scope than we have had since World War I.

Purchasing power continues to accumulate, in spite of rising prices and rising taxes. It is estimated by the National Association of Manufacturers that on December 31, 1943 the public buying power potential was 58 billions of dollars, made up of the following parts: 27 billions of war bonds held by individuals, 26 billions of individual bank deposits and 5 billions of potential installment credit. It is to be noted that these figures do not include purchasing power in the hands of business and financial organizations. Some months ago the Treasury Department estimated that war bonds had been bought by more than 50,000,000 individuals, more than half of them having made their purchases on the payroll deduction plan. In addition to this already existing and continually increasing purchasing power, Congress has provided dismissal pay for members of the armed forces ranging from \$100 to \$300 per person, estimated to amount in the aggregate to \$3,000,000,000. Social security trust funds will amount to 11½ billions by the end of June 1944.

The purchasing power problem is thus a problem of surplus, not a problem of shortage. The threat of inflation will be much greater in the postwar period than at any time during the war. The problem will be one of managing inflation controls and scheduling their relaxation in such a way as to avoid a runaway price situation such as we had after World War I.

Naturally, only a fraction of the country's accumulated purchasing power will be invested in construction. Some bonds and savings will be cashed to tide people over until they get new jobs; some will be spent for radios and refrigerators and automobiles and house furnishings; some will be saved; some will be invested in new business enterprises. It is not desirable that the Federal Treasury and the banking system be subjected to the strain of cashing all these savings at once; nor will goods be available fast enough to meet the overwhelming demands that are to be expected.

Demands will obviously be most immediate and greatest for the goods that have been denied to people in wartime, notably what are classed as consumers' durable goods and such capital goods as houses and the necessary community facilities that go with them. Fortune Magazine published in December the results of a survey of consumers' desires for postwar goods. The question was asked: "What one or two things do you plan to buy as soon as times are peaceful again?" Answers showed 21 per cent of those questioned as wanting automobiles, 13 per cent as wanting houses, over 9 per cent as wanting house furnishings, with mechanical refrigerators in the lead among furnishings wanted and washing machines, stoves, electrical appliances, rugs and radios all going strong in the list of desires.

Another survey is that of the Chamber of Commerce of the United States, which indicates that 1,500,000 families are ready to start new homes within six months after the war's end. Naturally, as Fortune points out in reporting its own survey results, questionnaire answers regularly include a number of letters to Santa Claus, representing wishful thinking rather than deliberate intentions. Even though we discount the U. S. Chamber figure considerably, other evidence on the side of a pressing demand for houses is so strong that it is readily seen that real question is going to be: How fast can the demand be supplied?

It is rather likely that the present housing shortage is even greater than it was after World War I, although exact measures are not available for either period. During the decade 1930-1939 there were built, according to the estimates of the U. S. Bureau of Labor Statistics only 2,734,000 new non-farm dwelling units. The Department of Commerce estimates that in the same decade there were 4,450,000 new non-farm families. Therefore, only 10 new units were built for every 16 new families; this would appear to indicate a very sizeable shortage at the end of 1939. Although Congress has provided generously for new housing to meet war-emergency needs, the war-housing that has been built has been necessarily somewhat limited in amount and very definitely limited in character. No new housing units have been permitted that would cost, with land, over \$6,000; no new houses of any valuation have been permitted outside of war-production centers. Yet, the amount of purchasing power and savings in the hands of individuals throughout the country is vast, certainly beyond precedent and almost beyond belief; without material shortages and restrictions, current prosperity would undoubtedly produce a housing boom, starting, with houses to cost, with land, \$6,000 and up.

It is a recorded fact that American consumers in the aggregate spend, almost uniformly year in and year out, 13 per cent of their total expenditures for housing accommodations; the figure for these housing expenditures includes rents of rented properties and the rental-equivalent for owner-occupied properties. If this customary 13 per cent allocation to housing expenditures holds in the postwar period, and if the national income averages 75 to 100 per cent greater than in the prewar decade of depression, it, naturally, follows that the nation's total house-rent fund will increase 75 to 100 per cent. That portion of the increased



rent-fund which is not absorbed by higher prices (and some of it will be) will be spent for improved accommodations both in modernized buildings and for new houses.

Private building demand and private project-planning are increasing daily. Our company is cooperating with savings banks and savings and loan institutions on a program for encouraging prospective new homeowners to make early plans. We are learning of hundreds of families who are currently earmarking savings funds for down-payments on new houses. The ARCHITECTURAL RECORD has worked out and is now conducting a program of editorial collaboration with magazines in the hotel, hospital, petroleum industry, school and other specialized fields, to present to owner-groups the newest ideas in modernization and new building design for all these specialized building types. Other publications and trade associations and building-product manufacturers are promoting the "Plan-Now" idea. Local Chamber of Commerce and CED committees in increasing numbers are making surveys of public and private construction needs in their localities. For example, Mayor La Guardia reported a little over two weeks ago that a survey of industrial concerns in New York City had revealed that 800 out of 1,335 companies interviewed reported that they have drawn definite plans for postwar improvements involving an anticipated expenditure of over a billion dollars. This preliminary survey represented only a modest sampling of the expansion potentials of the New York metropolitan area.

Various estimates of postwar construction volume have been made, indicating varying degrees of optimism as to rates of activity that will actually be realized. Our own estimate, one of the more conservative ones, is that total construction volume in the first ten years after the war will, after making due allowance for a changed price level, average double the average annual volume of the 1930-1939 decade. This would be about 5 per cent greater than the annual average of the 1920-1929 decade, a postwar period which had the largest construction volume of any peacetime decade in our history.

Within this estimated total, our guess is that residential building volume will average three times the 1930-1939 average; that non-residential building volume will average 70 per cent greater; and that heavy engineering construction will average 50 per cent greater. We estimate that private building and engineering work will run two-and-a-half to three times the average of the postwar decade. In new non-farm dwellings for the whole country, our estimate is an average of 820,000 units a year for the postwar decade.

Merely rescinding L-41 and its restrictions on non-essential civilian construction will not immediately supply adequate amounts of materials required for a first-class building revival. Critical factors now and for some time to come are lumber and transportation; you can add to these manpower shortages in the material-producing industries. The current lumber shortage is due in part to shortage of manpower in the logging camps, and shortages of machinery; it is due in even greater degree to the enormous consumption of lumber for boxing and crating of war materials, much of which is being shipped overseas. It is estimated that lumber requirements for boxing and crating will be this year

between four and five times the amount usually required in peacetime. Boxes and crates may continue to be shipped overseas in quite large amounts for many months after the fighting stops. It is readily seen that numbers of men will have to be reemployed in the logging camps, the sawmills and the factories which produce construction materials and equipment, before large numbers of houses can be built. It will also be necessary that adequate transportation service be available for moving materials to distributors and construction sites.

The problem of early construction revival is thus neither a problem of lack of purchasing power nor lack of demand. It is purely and simply a problem of orderly but speedy relaxation of restrictions on civilian construction, speedy release of raw materials for building-product manufacture, release of manpower and allocation of transportation facilities adequate to move needed materials to construction sites. This is a management problem and nothing else, although it is admittedly a highly complicated one.

It should also be obvious that artificial stimulation of public works at such a time would merely intensify competition with private construction in the material market, and would greatly increase the pressure on the price structure. The threat of inflation will be much greater in the postwar period than in wartime; unnecessary Federal spending at that time would greatly complicate transition problems by increasing the inflation threat.

Full realization of potential construction demand will also be involved in the policies and programs to be adopted with reference to relaxation of price, wage and rent controls, and with reference to disposal of government surplus property. The procedures followed by government in disposing of war plants, war housing, airplane landing fields, stock-piles of construction materials and land will all affect the construction market. Postwar taxes and postwar relationships between rents and construction costs will strongly affect investment-building demand.

Complicated as these problems are, I have great confidence that they will be satisfactorily solved. Never have I known a time when so many competent people, in government and out, had so broad a comprehension of what our national problems will be or so strong a will to solve them satisfactorily. The Senate Special Committee on Postwar Economic Policy and Planning, of which Senator Walter F. George is chairman, has urged Congress to set up immediately an office of demobilization with full authority over the reconversion of industry to peacetime production after the war; it recommended that the reconversion policy be designed for "the preservation and strengthening of the American system of free competitive enterprise." Mr. Bernard M. Baruch, White House adviser, has delivered to the President a complete program for industrial reconver-

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sion, predicated on much the same assumptions as those of Senator George's committee. The Postwar Planning Committee of the House of Representatives has only recently been created and has scarcely started to function. But the House Committee on Public Buildings and Grounds, of which Hon. Fritz G. Lanham is chairman, has for the past several months been holding hearings on the postwar problems of the construction industry. This committee has indicated a strong sentiment in favor of private enterprise and in favor of local initiative and responsibility for local public works.

These problems are not the problems of depression; they are problems of preparation for prosperity. Yet we have a lot of people in this country who appear to have either a hangover from the last big depression or else a vested interest (ideological or otherwise) in depression for depression's sake. Dat ole debbil prosperity is going to get 'em if they don't watch out. Whether people are genuinely fearful of the future or whether they are playing on fear as a basis for putting over particular schemes and programs, they should be told emphatically that the people of this country mean to plan, not for a new depression based upon fear of imagined calamities, but for prosperity based upon confidence and upon knowledge of our tremendous assets and the know-how to put the assets to work.

Many of our professional worriers have transferred their solicitude from the early postwar period to the time when deferred demands will have been fully satisfied. Then, say they, will come an awful slump, and then we will have our great big beautiful depression. Let us see whether there is any factual basis for their fears, or whether it is more realistic to plan for prosperity than to plan for a depression.

Our experience after World War I is an indication of what can happen in a postwar period. It took six years, from the beginning of 1919 to the end of 1924, for war-deferred construction demands to be satisfied. That six-year period, however, was not one of continuous recovery. On the contrary, it was interrupted by a two-year period of drastic price deflation and depression, following a postwar price inflation. So, the net recovery period was four years; it might take longer this time. Since every one knows very well today the dangers of postwar price inflation, it is strongly hoped that by judicious handling of our controls and wise scheduling of the relaxation of restrictions, repetition of the 1920-1921 type of price-deflation depression can be avoided this time.

After 1924, when deferred demands had been taken care of, construction activity did not decline; it increased very considerably and produced during each of the ensuing five years larger volumes than in any other peacetime years of the country's history. While that boom was marred by serious speculative excesses, it was based upon a very sound economic expansion, the most conspicuous feature of which was the rapid development of the automotive industry and the many industries allied to it. The preceding postwar recovery had set the stage for economic expansion and had encouraged investment of risk capital in many varieties of new enterprises. In a prosperous economy construction activity is not a mere matter of repairs and replacements, or of catching up with postponed demands; it is a matter of providing new facilities for a wide variety of new economic, social and cultural needs.

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Our postwar economy will have all the ingredients of a great and sustained prosperity, and will realize that prosperity if the forces of economic expansion can be released and permitted to function without being unduly restricted by repressive government action. The capital and the consumer purchasing power are today in the hands of the people, not in the hands of the Federal government.

At this point I should like to quote for you a statement by Mr. Bernard Baruch, made in his report to the President on his plan for reconversion of our economy to peace time production. Mr. Baruch said:

"In the reconversion and readjustment will come improvements in our standards of life—better houses, better clothes, better safeguards for children, better health protection and wider educational opportunities. These bring hope for the future instead of fear; they give security instead of unrest.

"There is no need for a postwar depression. Handled with competence, our adjustment, after the war is won, should be an adventure in prosperity."

As I see it, the most important fields for Congressional action designed to stimulate construction activity at high levels to be sustained over a period of years are the fields of postwar tax policy and postwar fiscal policy.

Taxes affect construction demand in a number of ways. Federal and state taxes on incomes, gifts and inheritances affect investment confidence and the volume of investment in new enterprises, including such real estate ventures as commercial buildings, housing projects and industrial developments. Real estate taxes, which are the main support of local governments, profoundly affect private investment in every class of prop-



erty and also the capacity of local governments to supply public works and community facilities essential to supplement any new private development that is going on.

Consequently, the country's postwar tax problem involves the following:

- 1—Reduction of heavy Federal war taxes as speedily as possible.
- 2—Provision in Federal tax programs for removal of deterrents to private initiative and private investment of risk capital.
- 3—Provision of adequate tax sources for state and local governments, so that they can render their necessary facilities on their own initiative and responsibility.

I consider this third point of vital importance, particularly with respect to the postwar financial needs of local governments. It is no exaggeration to say that preservation of local fiscal autonomy and local initiative in those public affairs properly within the jurisdiction of local governments is just as important as preservation of private enterprise in industry and business, if the American way of life is to be maintained. This problem will not be properly solved by putting local governments on a Federal dole.

Again I would like to quote an important public man, Senator Joseph C. O'Mahoney of Wyoming, a member of Senator George's postwar committee. In a sub-committee report made to the committee last October, Senator O'Mahoney said:

"This reliance upon Federal expenditures in one form or another which was expressed everywhere seemed to me to give emphasis to the need of overall planning for the stimulation of individual, local and state activities so as to relieve the burden on the already overburdened Federal Government. The trend toward State Socialism can only be retarded by the substitution of private and local expenditure and investment in fields which are private and local."

But, there is a real problem. If we are not going to use doles, which tend to destroy local government and the authority of the 48 states to determine what kinds of local government there will be, we will have to make local governments self-supporting and self-respecting.

The states are, generally speaking, in excellent financial shape today, relatively in a much better state of fiscal health than is the Federal government. Their postwar reserves and their potential credit are ample for carrying out quite adequately over a period of years those public works programs for which state governments have primary responsibility. Local governments, too, have been saving money, and where legally authorized to do so, have built up postwar reserves. Most of them should be able to finance without outside aid a volume of public construction adequate to meet the necessary requirements of the immediate postwar period. The question is: whether they can, without greater financial resources than they now command, continue over a long period to meet an increasing public demand for community facilities, for redevelopment of their blighted areas, and, perhaps, for new social services.

In the year 1939, 17 per cent of the total expenditures of municipalities of 100,000 population and over was covered by grants from other governmental sources.

This was greater than their aggregate of capital outlays for public works, which amounted to 14 per cent of total expenditures. If the Federal government continues to tax without legal limit and without regard to the needs of government at other levels, preempting most of the lucrative tax sources, financial dependence of local governments on the Federal treasury will increase, and along with it subservience of local political organizations to the administration currently in power in Washington. Furthermore, authority to spend which is remote from the responsibility for raising the money tends to extravagance and waste.

I heartily endorse the sentiments expressed by Hon. Fritz G. Laubam of Texas, chairman of the House Committee on Public Buildings and Grounds, in a speech given on the floor of the House in February 1943. His theme was: "We can have a better America if we get back home governmentality." In the course of his speech he said:

"Just as it is gratifying after any detour to find ourselves again on the main highway, so one of the chief delights of a period of vacation is returning to the home from which we started. In other words, it is always a helpful and refreshing experience to get back home. It is my belief that the best and most inspiring way of fulfilling our ardent desire for a better America is to get back home governmentally."

A little further along in his speech, Mr. Laubam said:

"I wish to speak of those other and normal processes, even antedating the war, in which the States have been forsaking and surrendering the sovereignty rightfully theirs in our dual system of government. It took centuries for such rights of the people to be wrested from autocratic power, but without that vigilance which liberty demands they can be relinquished very rapidly.

"For example, in recent years these States and their political subdivisions have been very active in seeking governmental grants from the United States in furtherance of purely State and local affairs. We must awaken to a realization of the fact that there is no such thing as a governmental grant of this kind. The Federal Government has nothing to give to the people except what it takes from the people. Aside from such definite things under constitutional authority as provision for the Army and Navy, the coinage of money, the establishment of military and post roads, and the other functions so delegated to the general government, the States by our organic law are intended to be supreme in their spheres. In the matter of these so-called governmental grants other than those under constitutional authority, from each dollar that the Federal Government takes from the States it retains and diverts a part of that sum for the establishment or enlargement of some administrative agency, and then it returns the remaining part to the States themselves provided they will expend it in such a way as Federal agents in Washington direct. The States could keep their dollar in the first place and spend it all in accordance with their own desires and purposes. And under these circumstances there would not be so many of these expensive bureaus of the Federal Government performing the functions of the States. Let us get back home to the fundamental doctrine of having each member of our dual system operating effectively within its proper jurisdiction. We will have a better America when we do."

(Continued on Page Ten)



## ARCHITECTURAL PRACTICE UNDER STATE REGISTRATION LAWS

By PETER BRUST

Extracts from a report on available legal decisions and opinions relative to statutes regulating the practice of Architecture throughout the United States of America, compiled by William L. Perkins, Secretary of the National Council of Architectural Registration Boards.

This bulletin contains approximately 180 legal decisions of cases involving the practice of architects. A few of these legal decisions are herewith given to indicate the diametrically opposite conclusions on practically the same facts by judges in different States.

Several Wisconsin cases are quoted so that Wisconsin Architects may know the trend of legal decisions in this State.

Architects desiring a copy of the bulletin from which these extracts are made may procure them by writing to Wm. L. Perkins, Secretary of the N.C.A.R.B., 736 Lucas Ave., Chariton, Iowa.

\* \*

**T**HE legal rights of an architect are not very well understood by the members of the profession. Licensing architects to practice is only justified in so far as it is of benefit to the public. Registration laws are not for the protection of those registered but they place a definite responsibility on the registrant to serve the public interest. Such a responsibility should make a registered architect diligent in caring for those he may serve while practicing his profession.

In order to become registered or licensed to practice an architect has to abide by the registration laws of his state and it is necessary that he qualify in a knowledge of the science of his profession by proving his competency to discharge the duties of an architect before he may assume the title of his profession.

As the very existence of architecture is dependent upon its absolute integrity and judicial fairness to all concerned, then it should be the duty of the architect to aid the public in the enforcement of the laws regulating the practice of architecture.

The architect has a social obligation to his community, a duty of fair and clean cut service to his clients, and an ethical duty to the members of his profession. It is therefore reasonable to expect the architect to lend any assistance he may be able to give to the matter of law enforcement.

**PEOPLE V. RODGERS COMPANY** (1917) 277 Ill. 151, 115 N. E. 146.

Facts: The Rodgers Company was incorporated to carry on the business of engineering and architecture. The Board sought to recover a judgment against the Company for practicing architecture without a license. The Company had no license, but the persons who performed all the architectural work for it did. Section 5 (Hurd's Stat. 1916, p. 92) provides in part: "No . . . corporation shall be licensed to practice architecture, but the same may employ licensed architects."

Held: (1) Making contracts for services to be performed by an architect and collecting the compensation therefor is not practicing architecture within the meaning of the statute.  
(2) A corporation may contract to furnish architectural work if it is done by a licensed architect.  
(3) The purpose of a statute is not to protect architects, but to protect the public against incompetent architects.  
(4) For defendant.

**HICKEY V. SUTTON** (1926) 191 Wis. 313, 210 N. W. 704.

Facts: Hickey and Velguth sue as copartners for the reasonable value of services performed in preparing plans and specifications for defendant. Neither of the plaintiffs had registered as architects as required by sec. 101.31 of the Statutes. Plaintiffs represented that Velguth was an architect, but nothing was said as to whether Hickey was an architect.

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Held: (1) For defendant.

(2) An architect not registered and licensed as required by sec. 101.31, Stats., is not entitled to recover for services rendered; and the defense that an architect suing for services rendered is not licensed need not be pleaded.

(3) The non-compliance of one of two persons jointly rendering services as architects with the statute requiring registration and license precludes a recovery by either. (This assumes that Hickey did not represent himself to be an architect).

1. Void Contracts.

**WAHLSTOM V. HILL** (1934) 213 Wis. 534, 252 N. W. 339.

Facts: Action by plaintiff to recover for services rendered to the defendant as contractor and builder. The defense was that the contract was in violation of sec. 101.31, Stats., relating to architects and engineers. A portion of the contract was: "The contractor agrees to furnish all the plans and specifications required for the erection of the building. He also agrees to give his full personal time and supervision to the work. He is to have full control of all the buying of materials, the hiring of mechanics and laborers and letting of subcontracts. He is to keep a complete daily record of the progress of the work; consulting with the owners from time to time, as to the progress and cost of work." The plans and specifications were prepared by architects who were licensed to do business in Wisconsin. Plaintiff did not hold himself out to defendants as an architect.

Held: (1) For plaintiff.

(2) Sec. 101.31, Stats. 1931, defining the practice of architecture as embracing "responsible supervision of the construction, enlargement or alteration of public or private buildings" for others and prohibiting such practice without an architect's license, refers to the sort of supervision which an architect ordinarily gives, and does not forbid all supervision except by a licensed architect, and the supervision necessary to performance is not the supervision that is ordinarily rendered by an architect. Plaintiff was here a business agent and was not engaged in that "responsible supervision" which architects ordinarily undertake.

(3) The architect-licensing statute does not prevent an owner from procuring plans and specifications and letting a contract for the erection of the building in accordance therewith.



## MARIE CHRISTINE KOHLER

There could be no more fitting memorial than the recent issue of Kohler of Kohler News given over in its entirety to the memory of Marie Christine Kohler, philanthropist and patroness of the arts.

The issue, recently received, pictures the life of Miss Kohler from her birth in 1876, on through the years which were given largely to others, until her death in October of 1943.

It is a beautiful edition and one of which you feel sure the brilliant and community-minded woman would have been humbly proud.

\* \* \*

### ARCHITECTURAL PRACTICE—Continued

(4) Plaintiff did not by his contract agree to render the services of "responsible supervision of the construction, enlargement or alteration of" the building within the architect licensing statute; hence recovery for his services was not barred because he did not possess an architect's license.

(5) That the plaintiff may have violated the architect-licensing statute by holding himself out as an architect's license constituted no defense against recovery for his services rendered to the defendant.

Note: Chap. 486, Sec. 101.31, Laws of 1931, provided for the registration of Architects and Civil Engineers and restricted the practice of these professions to persons who were properly qualified. The previous statute did not restrict the practice but only limited the group who could call themselves architects.

1. Application of Acts.

\* \* \*

### HOLDEN—Continued from Page 8

There is a growing tide of resentment against Federal encroachment upon the authority of the states. Fifteen state legislatures have already passed resolutions seeking a constitutional amendment that would limit the power of the Federal government in taxing incomes, gifts and inheritances. This proposed Constitutional amendment is being considered in other states at the present time.

While the purpose of the proposed amendment may seem good, it is questionable whether the solution of such a highly complicated problem is to be found within the simple formula of a flat percentage limitation. It may be that a better approach to the problem is found in Congressman John M. Coffee's proposed resolution to create by Congressional action a National Committee on Tax Integration. Such a commission's function would be to study the overlapping jurisdictions of various levels of government, both with respect to their several responsibilities for furnishing public services and facilities and with respect to adequacy of their tax sources to meet these responsibilities. Such a commission should simplify and clarify the present crazy-quilt tax pattern of this country, which now has 165,000 governmental agencies with power to spend money, contract debt and, directly or indirectly to levy taxes.

Some years ago, President Roosevelt advocated creation of a National Tax Commission. Mr. Willkie advocated the same thing in 1940. As recently as last month the United States Conference of Mayors strongly endorsed H.J.R. 56, the Coffee Resolution. Congressman Coffee wrote me about three weeks ago that he was hopeful of an early favorable vote on his resolution by the House Rules Committee. Early action by Congress on the Coffee Resolution, or on some better measure to achieve its purpose, is urgently called for.

(Concluded in March Issue)

### MINUTES—Continued from Page 4

This concluded the discussions, and President Seidenschwartz then announced that the election of directors for the year would take place. He appointed Francis S. Gurda and Frank F. Drolshagen to act as tellers. As printed ballots were distributed, he explained that in accordance with the By-Laws, each District was to nominate one director from its district and that the Convention was to nominate seven or more, to bring the total to 14.

The nominations were as follows: Ellis B. Potter, Leigh Hunt, Percy Brandt, Henry Slaby, E. A. Wettengel, A. L. Seidenschwartz, Walter G. Memmler, F. A. Luber, N. R. Safford, Mark F. Pfaller, T. L. Eschweiler, Harry Bogner and Edmund Schrang, totalling 13. Those made by districts were: 1 & 2, Emiel F. Klingler; 3, E. H. Berners; 4, C. Madsen; 5, F. W. Raeuber; 6, Lewis Siberz; 7, F. F. Drolshagen; 8, Robert S. Chase.

The President instructed the members to vote for 7 of the 13 in the first group.

After the ballots were collected by the Tellers, it was moved that Mrs. Leigh Hunt be given a rising vote of thanks for the fine work she had done for the Association. The motion was unanimously carried.

Mr. Madsen suggested that the Board consider making the consolidated District No. 1 and 2, again District No. 1, and making the LaCrosse district, District No. 2. The President said that the suggestion would be handed to the incoming Board as he thought it a good suggestion.

T. L. Eschweiler spoke of the fine work being done by Anthony J. Wuchterl in his lectures on the Historic Buildings of Milwaukee. It was suggested that Mr. Wuchterl was available for any future talks and that any one interested, write to him.

The tellers then announced they were ready to report, stating that in addition to the seven district directors, the following 7 had received the highest number of votes: Hunt, Seidenschwartz, Potter, Memmler, Safford, Pfaller and T. L. Eschweiler.

The President declared these directors elected, and thanking the tellers, dismissed them. The President then requested the new directors to remain after the Convention had been adjourned.

The Convention was adjourned at 5 p.m.

Leigh Hunt, Secretary

### Post Board Meeting

The meeting of the new Board met in the Lotus Room, following the Annual Convention for the purpose of electing officers from the Board, with the following results:

President, Edgar H. Berners; 1st Vice President, Walter G. Memmler; 2nd Vice President, Mark F. Pfaller; Secretary-Treasurer, Leigh Hunt.

The Board meeting was adjourned at 5:30 o'clock.

Leigh Hunt Secretary

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ELIGHTS—Continued from Cover Page

At the Saturday afternoon business session, the voting period drew nearer and nearer. But the printed ballots had not arrived. They were to have been delivered at 2 o'clock. Where were they? The President and secretary fidgeted in their chairs. One left the table to peer into the mezzanine for sight of the ballot-bearer. When the other departed to scour the hotel. Both returned. Perspiration beaded their honest brows. They attempted to appear nonchalant. At length the President rose.

He began: "Inasmuch as the printed ballots have not arrived . . ." At that very opportune moment, the curtains were drawn aside. A messenger entered, crossed the stage bearing the ballots with all the fervor of one having rescued the crown jewels, and dropped them into the outstretched hand of the perspiring President. The dignity of the State Association had been upheld. A most dramatic incident.

The printed program gave the hour of the Saturday evening session as 10:30 a.m. Unfortunately, due to waiting for the appearance of, or word from, the gentleman who was to give the address of welcome (and who never did show up), the opening was prolonged. But eventually! However, once the meeting got underway the officers "stepped on it", undaunted, and business moved spiritedly along. Came the surprise element. President Seidenschwartz tapped his gavel signifying adjournment. The Conventioneers consulted their watches. Gasps of astonishment sizzled and reverberated. And behold, the Twelfth Annual Convention was adjourning at the prescribed hour! Right on the dot. It was exactly 5 o'clock.

The above two sidelights go to prove that it takes more than belated ballots and a speaker who does not materialize to cramp the style of the hearty architects.

Thomas S. Holden, president of the F. W. Dodge Corporation, writes that on the train leaving Milwaukee "had a very pleasant chat with Mayor John L. Bohn

and City Attorney Walter J. Mattison." Mr. Holden and Mr. Mattison had met at the Friday night banquet.

First to leave on Saturday afternoon was Gerald J. Rice, the State Association's attorney, and for this procedure he had no need for making a defense plea. Finishing the round table discussion, he literally zipped his legal self into his brief case along side of reams of whereases and and/or's. Whereupon, he betook his alter self to a defense plant to be, from 3 o'clock till 11, not Gerald J. Rice, Attorney, but Gerald J. Rice, War Worker.

When a cold wind whipped off the lake, rattling the window panes, and there was a look of snow in the air, Carl and Theodore Eschweiler, and Richard Philipp didn't feel too bad when the hour for leave-taking arrived. They were a lot of miles away from their places in the country. And Emiel F. Klingler settled for a bus that would get him home in Eau Claire by midnight instead of waiting for a train that would carry him on into the next morning.

It wasn't fear of an on-coming storm that caused Gerrit J. deGelleke to sprint out of the Plankinton House. He had a date with a young lady. A very young lady. None other than a brand new grandchild, the daughter of Lieut. Gerrit J. deGelleke, Jr., with the Combat Engineers in the army.

And speaking of the armed forces, Mark F. Pfaller was very proud, and justly so, of a photograph of his son, Ensign Mark Arthur Pfaller. The handsome young ensign is pictured in his crisp, white uniform, standing in front of a motor car at Pearl Harbor, where he is stationed.

#### F. A. LUBER APPOINTED

Frederick A. Luber, Jr., has been appointed to the Executive Board of the Wisconsin Chapter, A.I.A., for the unexpired term of the late Herbert W. Tullgren.

#### MAGAZINES

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